

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

NORTH JERSEY NEUROSURGICAL
ASSOCIATES, P.A.,

Plaintiff,

v.

PAUL SOLK,

Defendant &
Third Party Plaintiff

v.

PREMERA BLUE CROSS,

Third Party Defendant

Civ. Action No. 08-1805 (KSH)

ORDER

Katharine S. Hayden, U.S.D.J.

This matter having come before the Court upon the Report and Recommendation of Magistrate Judge Schwartz on June 9, 2008 (D.E. 21), recommending that defendant's motion to remand to the Superior Court of New Jersey (D.E. 10) be granted and defendant's request for attorneys' fees be denied; this Court receiving no objections thereto; this Court having reviewed the issues therein de novo; and good cause appearing,

It is on this 30th day of June, 2008,

ORDERED that the Report and Recommendation of Magistrate Judge Shwartz is adopted and incorporated as the Opinion of this Court; and pursuant to said Report and Recommendation, it is further

ORDERED that defendant's motion to remand (D.E. 10) is **granted** and its request for attorney's fees is **denied**; and further

ORDERED that this case is remanded to the Superior Court of New Jersey, Law Division, Bergen County, pursuant to 28 U.S.C. § 1441. The Clerk's Office is directed to close the case.

/s/Katharine S. Hayden
Katharine S. Hayden
United States District Judge